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9 *Attorneys for Plaintiff/Judgment Creditor*
10 *Wynn Resorts Holdings, LLC*

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 WYNN RESORTS HOLDINGS, LLC, a
14 Nevada limited liability company,

15 Plaintiff,

16 v.

17 SPIRAL MATRIX, an entity of unknown
18 origin,

19 Defendant.

Case No.: 2:06-cv-01282-LDG-RJJ

**AFFIDAVIT OF JUDGMENT
RENEWAL**

20 STATE OF NEVADA)
21 COUNTY OF CLARK) ss.

22 Plaintiff/Judgment Creditor Wynn Resorts Holdings, LLC, by and through Roxane Peper,
23 its authorized representative, and pursuant to NRS 17.214, first being duly sworn according to
24 law, hereby submits this Affidavit of Judgment Renewal against Defendant/Judgment Debtor
25 Spiral Matrix ("Judgment Debtor").

26 1. I am the authorized representative for Wynn Resorts Holdings, LLC, the
27 Plaintiff/Judgment Creditor in the above-entitled action. I have personal knowledge of the facts
28 contained in this affidavit and if called to do so, would testify competently thereto.

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1 2. The Judgment was originally recorded in Clark County, Nevada on February 22,
2 2013, instrument number 201302220000210.

3 3. The Judgment being renewed was initially entered in this Court, on March 13,
4 2007, for a total amount of \$105,782.45. See Default Judgment attached hereto as Exhibit "A".

5 4. As of today, neither Judgment Debtor nor anyone on its behalf has made any other
6 payments to satisfy any portion of the Order Granting Default Judgment. There are no
7 outstanding writs of execution for enforcement of the Order Granting Default Judgment

8 5. There are no offsets or counterclaims in favor of the Judgment Debtor.

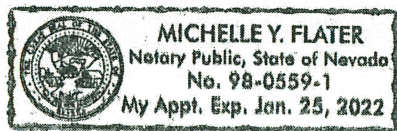
9 6. The current amount due and owing on the Judgment is \$105,782.45.

10 FURTHER, AFFIANT SAYETH NAUGHT.

11 
12 _____
13 ROXANE PEPER

14 Subscribed and sworn before me
15 this 8 day of March 2019.

16 
17 Notary Public



20 ORDER

21 IT IS ORDERED that the within Default Judgment is renewed.

22 DATED this 18 day of March, 2013.

23
24
25 
26 _____
27 Lloyd D. George
28 United States District Judge

EXHIBIT A

EXHIBIT A

1 Mark G. Tratos (Bar No. 1086)
2 Ronald D. Green Jr. (Bar No. 7360)
3 Laraine M. I. Burrell (Bar No. 8771)
4 Andrew D. Sedlock (Bar No. 9183)
5 GREENBERG TRAURIG, LLP
6 3773 Howard Hughes Parkway
7 Suite 500 North
8 Las Vegas, Nevada 89169
9 Telephone: (702) 792-3773
10 Facsimile: (702) 792-9002

11 Counsel for Plaintiff

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 Wynn Resorts Holdings, LLC, a Nevada
15 Limited Liability Company,

16 Plaintiff,

17 v.

18 Spiral Matrix, an entity of unknown origin,
19 Defendant.

Case No. CV-S-06-1282-LDG-RJJ

DEFAULT JUDGMENT

20 Plaintiff Wynn Resorts Holdings, LLC, having filed a Motion for Entry of Default
21 Judgment against Defendant Spiral Matrix pursuant to Rule 55 of the Federal Rules of Civil
22 Procedure; the Defendant having failed to respond to, or answer, Plaintiff's Complaint
23 previously served upon Defendant; the Clerk of the Court having entered Default against
24 Defendant on Spiral Matrix; this Court having now given due consideration to Plaintiff's
25 Motion for such judgment as well as papers, pleadings, and exhibits offered in support
26 thereof; and the Court being further fully advised in the matter and there having been no
27 appearance made by Defendant, it is therefore,

28 ORDERED, ADJUDGED and DECREED that Judgment be entered in favor of
Plaintiff Wynn Resorts Holdings, LLC, and against Defendant Spiral Matrix, on all counts of
Plaintiff's Complaint; and, it is further ordered and adjudged that said Judgment shall

1 include the following specific findings of fact and award of specific relief:

- 2 a. Plaintiff Wynn Resorts Holdings, LLC is the owner of certain Wynn
- 3 trademarks and variations thereof used in relation to casino services as
- 4 identified in the Complaint;
- 5 b. Plaintiff Wynn Resorts Holdings, LLC's Wynn marks are famous;
- 6 c. Defendant registered and used the Infringing Domain Names
- 7 <wynnresoet.com> and <wynnhotellasvegas.net> with the bad faith intent to
- 8 profit from its use of Plaintiff's marks;
- 9 d. Defendant provided links to online casino services and hotel and travel
- 10 reservations which were accessible through Defendant's Infringing Domain
- 11 Names at <wynnresoet.com> and <wynnhotellasvegas.net>.
- 12 e. Plaintiff and Defendant are competitors and the respective services offered by
- 13 each are similar;
- 14 f. Defendant's use of the term Wynn in connection with its services is likely to
- 15 cause confusion as to the source and origin of Defendant's services;
- 16 g. Defendant's use of the term Wynn in connection with its services has and is
- 17 likely to continue to cause dilution of Plaintiff Wynn Resorts Holdings, LLC's
- 18 Wynn marks;
- 19 h. Should Defendant's use of the term Wynn continue, Plaintiff will continue to
- 20 suffer irreparable injury to its good will and reputation which was established
- 21 through use of the Wynn marks and for which an award of damages would be
- 22 inadequate.
- 23 i. Should Defendant's use of the term Wynn continue, Plaintiff will continue to
- 24 suffer irreparable injury as the Wynn marks will lose their capacity to identify
- 25 its goods and services; i.e., they will be diluted, for which an award of
- 26 damages would be inadequate;
- 27 j. Defendant acted willfully in its infringement and dilution of the Wynn marks;
- 28 and

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1 k. Defendant is liable for its infringement, dilution, unfair competition and
2 cybersquatting.

3 THEREFORE, IT IS HEREBY ORDERED that the Defendant Spiral Matrix, its
4 respective officers, agents, servants, employees, and/or all persons acting in concert or
5 participation with it, (1) from using Plaintiff's trademarks or confusingly similar variations
6 thereof, alone or in combination with any other letters, words, letter strings, phrases or
7 designs, in commerce or in connection with any business or for any other purpose
8 (including, but not limited to, on web sites and in domain names); and (2) from registering,
9 owning, leasing, selling or trafficking in any domain name containing Plaintiff's trademarks
10 or confusingly similar variations thereof, alone or in combination with any other letters,
11 words, phrases or designs;

12 IT IS FURTHER ORDERED that the current registrar of the <wynnresoet.com>
13 and <wynnhotellasvegas.net> domain names shall immediately unlock and permanently
14 transfer the <wynnresoet.com> and <wynnhotellasvegas.net> domain names to Plaintiff;

15 IT IS FURTHER ORDERED that Defendant is permanently enjoined from accepting
16 bets, for money or not, from persons located in the United States or domiciled within or
17 outside of the borders of the United States, from any online casino or Internet gaming site
18 using a web site or domain name with any variation or letter string containing the Wynn
19 marks;

20 IT IS FURTHER ORDERED that Defendant pay Plaintiff \$1,000 in nominal damages
21 for corrective advertising;

22 IT IS FURTHER ORDERED that Defendant pay Plaintiff statutory damages of
23 \$100,000 per domain name;

24 IT IS FURTHER ORDERED that Defendant pay Plaintiff's attorneys' fees and costs
25 in the amount of \$4,782.45;

26 IT IS FURTHER ORDERED that Plaintiff's cash deposit of Two Hundred Dollars
27 (\$200.00) be released from the Registry Account of this Court and returned to Greenberg
28 Traurig.

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1 IT IS FURTHER ORDERED that jurisdiction of this case shall be retained by this
2 Court for the purpose of enforcement of this Judgment.

3
4 
UNITED STATES DISTRICT JUDGE

5 DATED: 9 Mar 2007

6 Submitted by:

7 
GREENBERG TRAURIG, LLP

8 Mark G. Tratos (Bar No. 1086)
9 Ronald D. Green Jr. (Bar No. 7360)
10 Laraine M. I. Burrell (Bar No. 8771)
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